

Transitional health insurance proposed



Sen. John McCollister said LB1032 would bring tax dollars back to Nebraska to help the state's working poor.

A new option to provide coverage for uninsured Nebraskans was discussed Feb. 10 in the Health and Human Services Committee. Several proposals in recent years to access federal Medicaid funds available to Nebraska under the Affordable Care Act (ACA) have stalled during floor debate.

LB1032, sponsored by Omaha Sen. John McCollister, would create the Transitional Health Insurance Program (THIP) as an alternative means of providing health coverage to the approximately 77,000 uninsured Nebraskans who are newly eligible under the ACA.

McCollister said the plan would utilize the private health insurance market to ensure coverage for individuals who fall into the "coverage gap"—those who earn too much to

qualify for Medicaid but too little to qualify for insurance premium tax credits under the ACA.

"It's estimated that two-thirds of this uninsured population are the working poor in Nebraska," he said, "and over half of these people come from rural areas."

LB1032 would require the state Department of Health and Human Services (DHHS) to apply for a Medicaid waiver within 14 months of the bill's effective date. Under the waiver, individuals ineligible for Medicaid with incomes below 133 percent of the federal poverty level would be enrolled in private health insurance through a premium assistance model in which Medicaid dollars are leveraged to purchase private health plans.

McCollister said the plan would provide eligibility in two additional

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Seat belts proposed for all vehicle occupants

All occupants in a vehicle would be required to wear seat belts under a bill heard by the Transportation and Telecommunications Committee Feb. 9.

Currently, not wearing a seat belt is enforced only as a secondary offense when the driver is pulled over for a primary offense, such as speeding. LB669, introduced by Omaha

Sen. Bob Krist, would make the state's current seat belt requirement a primary offense, rather than secondary, for all vehicle occupants.



Sen. Bob Krist

Krist said that Nebraska is one of only 16 states that does not have a primary seat belt law.

"There has been a notable increase in traffic deaths in recent years. Of the 189 killed in Nebraska in 2014, almost 70 percent were not wearing a seat belt," he said. "If we are truly serious about public safety, we need to pay attention to those that are driving [without seat belts]."

Rose White, representing AAA Nebraska, supported the bill, calling the state's current seat belt law "weak."

"Legislators in other states have recognized that the implementation of evidence-based policies like primary seat belt laws truly benefit the citizens

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UNICAMERAL YOUTH LEGISLATURE

High school students with an interest in law, government, leadership or public speaking are encouraged to register for the 2016 Unicameral Youth Legislature, which will convene June 5-8.

The Unicameral Youth Legislature is a four-day legislative simulation conducted at the State Capitol Building and coordinated by the Clerk's Office of the Nebraska Legislature. Student senators will sponsor bills, conduct committee hearings, debate legislation and discover the unique process of the nation's only unicameral.

Students will learn about the inner workings of the Legislature directly from senators and staff. Bills will be based on legislation considered during the current legislative session.

Registrants are encouraged to apply for a Speaker Greg Adams Civic Scholarship award, which covers the full cost of admission. Applicants must submit a short essay. Other \$100 scholarships are also available.

The University of Nebraska-Lincoln's Extension 4-H Youth Development Office coordinates housing and recreational activities for the camp as part of their Big Red Summer Camps program.

Registration forms can be obtained from the Legislature's Unicameral Youth Legislature page: www.NebraskaLegislature.gov/uyl.

The registration deadline is May 15.



Seat belts proposed for all vehicle occupants

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of the state," White said. "[LB669] would allow Nebraskans to realize the law's maximum potential and make it a primary offense."

Bruce Beins, representing the Nebraska Emergency Medical Services Association, also supported the bill.

"If you're not a seat belt proponent when you [start a career as a first responder], you will be one very quickly," he said. "One of the functions the government has is protecting the public and I do think we need to protect the public in this case."

George Ferebee, of Edgar, opposed the bill. Rather than a seat belt mandate, he said, the state's focus should be on providing better driver education to new drivers so accidents can be prevented in the first place.

The committee took no immediate action on the bill. ■

UNICAMERAL UPDATE

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Transitional health insurance proposed

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ways. An individual whose employer pays no less than 50 percent of the total cost of the employee's coverage would receive assistance in purchasing employer-sponsored insurance.

Additionally, participants exempt from enrollment in premium assistance, including individuals who are determined to be medically frail, would be enrolled in Medicaid coverage. Program participants with incomes over 50 percent of the federal poverty level would be required to contribute 2 percent of their monthly household income as a premium, along with an enhanced copayment for nonemergency emergency room use.

The bill also would refer participants to employment and education programs and create a pilot program that would provide education and skills training targeted at specific state workforce needs. The bill calls for data collection and analysis of whether providing health insurance impacts the ability of individuals to transition off of public assistance programs.

As a result, McCollister said, LB1032 would encourage and support innovation and health care best practices in Nebraska.

"We contend that we're offering the country's best Medicaid expansion plan," McCollister said.

The program would be suspended should federal funding fall below 90 percent.

Roma Amundson, testifying on behalf of the Lancaster County Board of Commissioners, supported the bill. She said LB1032 would eliminate almost all of the cost to counties for the health care services that they are required to provide for indigent residents.

"During the last five fiscal years,

Lancaster County spent approximately \$10 million on the medical needs of general assistance clients," she said, adding that local government uses property tax funds to cover those costs.

"This bill provides an opportunity to lower property taxes by maximizing the use of federal funds," Amundson said. "We cannot afford to miss this opportunity."

Paulette Jones also supported the bill, saying she is one of the 77,000 Nebraskans who fall into the coverage gap. Jones said her income currently puts her \$42 over the limit to qualify for Medicaid, which makes it difficult to manage her chronic health conditions.

"I worked my family off of the [public benefit] system and showed them the importance of self-reliance," she said. "I am currently applying for and interviewing for jobs and I need to be healthy."

Andy Hale, representing the Nebraska Hospital Association, also supported LB1032, saying states that have expanded Medicaid have seen an increase in health care jobs and a decrease in uncompensated care. In addition, he said, the uninsured rate for low-wage workers has dropped.

"The states that expanded Medicaid in 2014 saw a 25 percent reduction in the number of uninsured workers," Hale said. "Changes in Medicaid should be motivated by the needs of patients, not by politics."

Calder Lynch, director of Medicaid and Long-term Care for DHHS, testified in opposition to the bill, citing both fiscal and policy concerns.

Lynch said that an actuarial report commissioned by the department estimates the bill's cost at nearly \$1 billion over the next 10 years. In addition, he said, the program would be complex

to implement and could impair the division's ability to provide quality care for those who already qualify for Medicaid benefits.

"My responsibility is to our enrollees and to the taxpayers," Lynch said. "I want to be able to deliver better value for the dollars that are invested and we're working every day to do that."

Jim Vokal, chief executive officer of the Platte Institute for Economic Research, also opposed the bill. He said 58 percent of the individuals that the bill would provide coverage for already are insured or are eligible for private insurance under the ACA. Placing them in a program that is more expensive than traditional Medicaid coverage—and that is funded by taxpayers—is the wrong solution, he said.

Vokal predicted that approximately 14,000 Nebraskans would drop out of the workforce to access the bill's provisions.

"We would all like to close the coverage gap by providing more affordable options," Vokal said. "[But this bill] would trap more Nebraskans in welfare dependency through no fault of their own."

The committee took no immediate action on LB1032. ■



AGRICULTURE

Fund would increase access to healthy food

A bill heard by the Agriculture Committee Feb. 9 would create a financing program intended to increase underserved Nebraskans' access to fresh fruits and vegetables and other healthy food.

LB945, introduced by Lincoln Sen. Matt Hansen, would provide \$150,000 to the program for fiscal year 2016-2017 and again for FY2017-2018. The state Department of Economic Development would contract with community development entities, which would award grants for eligible projects such as grocery store renovations and the creation of farmers' markets, food cooperatives and community gardens.



Sen. Matt Hansen

The bill also would set aside up to \$60,000 for the University of Nebraska to conduct a study that would identify areas in Nebraska with limited access to healthy food.

Hansen said that approximately 325,000 Nebraskans live in food deserts—areas that lack easy access to affordable and nutritious food. He said limited access to healthy food affects rural and urban areas and disproportionately affects low-income and minority communities.

“Lack of access to healthy, affordable food ultimately contributes to higher societal costs including increased public costs for providing health services,” Hansen said.

Traci Bruckner, speaking for the Center for Rural Affairs, testified in support of the bill. Research shows that rural grocery stores are closing

across the nation, she said, making access to healthy food more difficult.

Data on rural Nebraska grocery stores is not available, she said, but in Iowa more than 43 percent of grocery stores in towns with less than 1,000 people have closed. In Kansas, 38 percent of grocery stores in towns with less than 2,500 people closed between 2006 and 2009.

Small stores could receive grants for distribution projects that would make it easier for them to stock fresh fruits and vegetables, she said.

Kathy Siefken, representing the Nebraska Grocery Industry Association, testified in opposition to the bill, saying that it could exacerbate the problem it intends to solve. Funding food cooperatives or farmers' markets that compete with small rural grocery stores, which operate on thin margins, could force them to close, she said.

The committee took no immediate action on the bill.

APPROPRIATIONS

Funds proposed for corrections staff

The state would use \$2.5 million from its general fund to recruit and retain state Department of Correctional Services staff under a bill heard by the Appropriations Committee Feb. 10.

Introduced by Syracuse Sen. Dan Watermeier, LB733 is intended to help the department recruit and retain staff in areas that face



Sen. Dan Watermeier

shortages. At least 10 percent of the money would be set aside to recruit staff—including psychiatrists, psychologists and nurses—to the department's

Division of Health Services.

The department would be required to send quarterly reports to the governor and the Legislature on how it uses the money, what impact it has on recruitment and retention and how the department would use such funds in the future.

In a recent survey of corrections staff by the Office of Inspector General of the Nebraska Correctional System, Watermeier said, 68 percent of respondents said giving annual raises would be the biggest change the department could make to better retain employees.

Watermeier said the department had 203 vacant positions in December, 62 of them at Tecumseh State Correctional Institution. When asked about coworkers who had quit their jobs, he said, 42 percent of respondents said that pay was the main reason.

The proposed increase in funding would help reduce staff turnover and improve morale at all of the state's correctional facilities, he said.

“I feel that we need to help the Department of Corrections, specifically at Tecumseh, not next year or [in] five years but now,” he said.

Mike Marvin, executive director of the Nebraska Association of Public Employees, spoke in support of the bill but said he hopes most of the money would be used for retention instead of recruitment. He said the department hired approximately 600 employees last year, but the state's correctional facilities still are understaffed because of high turnover.

“The Department of Correctional Services has no problem hiring employees,” Marvin said. “They have a problem retaining employees.”

Corrections Director Scott Frakes spoke in a neutral capacity. He said the department is trying to address staff shortages by hiring a full-time recruiter and using social media, advertising and job fairs. Frakes said he cannot

unilaterally raise employees' salaries or offer them bonuses because any changes in compensation must be negotiated with the employees' union.

"I struggle at this time with how to utilize these funds in an efficient way to permanently address this complex issue," he said.

No one spoke in opposition to the bill and the committee took no immediate action on it.

Funds sought for federally qualified health centers

The Appropriations Committee heard testimony Feb. 8 on a bill that would provide funds for health centers to expand their capacity.

Under LB923, introduced by Gering Sen. John Stinner, the state's seven federally qualified health centers would receive a total of \$5 million in additional general fund appropriations in fiscal year 2016-17.



Sen. John Stinner

The bill would divide \$1.4 million equally among the centers, with \$200,000 provided to each. An additional \$1.2 million would be distributed proportionally to the centers based on the total number of patients served in the previous year. Finally, \$2.4 million would be distributed proportionally based upon the number of uninsured patients served by each center in the previous year.

Stinner noted that the state's current budget outlook will require difficult funding choices, but said federally qualified health centers are an important investment in Nebraska. The centers cannot turn patients away, he said, and failing to provide adequate funding to them will cost the state in other ways.

"Now more than ever—with our uninsured numbers skyrocketing—we must help support them to serve this vital role," he said, adding that the seven health care centers saved the state's health care system more than \$87 million last year.

Andrea Skolkin, testifying on behalf of the Health Center Association of Nebraska, supported the bill.

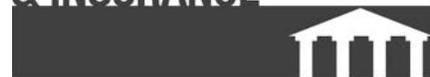
"Nebraska's federally qualified health centers provide comprehensive, community-based, culturally appropriate primary and preventative care," Skolkin said, adding that over half of the centers' patients are uninsured. The centers, which are located across the state, keep low-income and uninsured patients from visiting emergency rooms, she said.

Jeff Tracy of Community Action Partnership of Western Nebraska, also testified in favor of the bill. One of the most pressing needs of patients seen by the panhandle provider is oral health care, he said, yet the current wait for a nonemergency dental appointment is nearly three months.

"Access to high-quality, affordable health care plays a critical role in ensuring that Nebraskans are successful," Tracy said. "The difficulty in not expanding those services—or funding this bill—is that you leave a lot of individuals unserved, who end up costing the state a lot more money."

No one testified in opposition to LB923 and the committee took no immediate action on it.

BANKING, COMMERCE & INSURANCE



Direct primary care bill introduced

Members of the Banking, Commerce and Insurance Committee heard testimony Feb. 9 on a bill that would specify the requirements of a

direct primary care agreement and clarify that direct primary care agreements are not insurance.

Ralston Sen. Merv Riepe introduced LB817 and has made it his priority bill for the session. He said the proposal would provide clear legislative guidance for the state Department



Sen. Merv Riepe

of Insurance that direct primary care agreements do not constitute insurance or function as a qualified health plan pursuant to any federal mandate.

"Fee for service health care is not working in the United States, and that includes Nebraska," Riepe said. "One part of the fix for health care delivery is direct primary care."

Direct primary care is a medical care delivery model involving a contract between a patient and a primary care practitioner in which the patient pays a monthly retainer for unlimited office visits and an annual physical exam, he said.

The bill would not mandate that practitioners engage in primary care practices, Riepe said, but merely would establish the concept in state law and provide clarity moving forward.

Under the bill, a practitioner in a direct primary care agreement would be prohibited from billing a patient in any form for primary care services provided under the contract. It also would require a practitioner to provide 60 days' notice in advance of any changes to the contract.

Robert Wergin, board chairperson of the American Academy of Family Physicians, testified in support of the bill. Surveys suggest that physicians who practice direct primary care have much higher job satisfaction, he said.

"I think it really brings the joy of practice back to family physicians," Wergin said. "They're back [to being]

focused on the patient—not on paperwork, not on rules and regulations.”

Clint Flanagan, a direct primary care physician in Colorado, agreed. Testifying in support of the bill, he said physicians currently spend as much as 30 to 40 percent of their time on billing and administrative work related to fee for service practice, which leads to low job satisfaction.

Patients who use direct primary care supplement it with a high-deductible health insurance plan, he said, which can be used for things such as a hospital stay, hip replacement or extensive cancer treatment. He said the average per month fee across the country for direct primary care is approximately \$60.

“If you can afford a cell phone, you can afford what we do,” Flanagan said.

No one testified in opposition to the bill and the committee took no immediate action on it.

BUSINESS & LABOR

Compensation proposed for first responders’ families

Families of first responders killed in the line of duty would receive an additional benefit under a bill heard by the Business and Labor Committee Feb. 8.

LB836, introduced by Omaha Sen. Heath Mello, would provide monetary compensation to the family of a police officer, correctional officer or firefighter killed in the line of duty, including the family of those who work on a voluntary basis.

Mello said eight first responders have been killed while in the line of duty in the past 16 years.



Sen. Heath Mello

“Every day thousands of officers go to work and put their lives in harm’s way for the sake of public safety,” he said. “We need to do everything we can to ensure the financial stability of their families.”

A qualifying family member must file for compensation within one year of the death of a law enforcement officer or firefighter. For responders killed in 2016, compensation provided would total \$50,000. For each following year, the compensation would be equal to the previous year’s compensation multiplied by the consumer price index for all urban consumers.

Jason Cvitanov, Bellevue Police Officers Association president, spoke in favor of the bill.

“After the initial shock wears off, there’s a family left with a huge loss and a life they must return to,” Cvitanov said, adding that a first responder’s income often is a family’s only income.

Compensation first would be distributed to any person designated by the public safety officer to receive the compensation. If there is no designated person or that person is not alive at the time, compensation would be distributed according to a legally binding will.

In the absence of a legally binding will, compensation would be distributed first to a surviving spouse, surviving descendants, surviving parents or surviving siblings, in that order.

No one testified in opposition to the bill and the committee took no immediate action on it.

EDUCATION

School budget limitations proposed

The Education Committee heard testimony Feb. 9 on a bill that would

reduce state aid to schools and place restrictions on school budgets.

Introduced by Cedar Rapids Sen. Kate Sullivan on behalf of Gov. Pete Ricketts, LB959 is intended to ease property taxes, which are the main source of funding for Nebraska’s K-12 schools.



Sen. Kate Sullivan

The bill would change the state’s school aid formula, resulting in approximately \$3.5 million less state aid to schools in fiscal year 2017-2018. It also would limit schools’ budget growth and the amount of unused budget authority they can carry over from year to year. Several levy exceptions that school boards can use to fund capital projects without voter approval would be removed.

LB959 also would limit the budget growth of educational service units and the bond authority of community colleges.

Sullivan said the bill would control school spending without removing local control of school budgets or sacrificing quality in public education.

“In my estimation [the bill] allows education to be a part of the solution because they are the biggest users of the property tax dollars,” she said.

Gov. Pete Ricketts spoke in support of the bill, saying that 60 to 75 percent of the state’s property taxes and about 27 percent of the state’s overall budget is used to fund K-12 education. Ricketts said the bill would make incremental changes to school budgets to control spending and help reduce property taxes.

“Nebraskans are committed to public education,” he said. “But we also need to balance that out with the responsibility to the taxpayers.”

Rod Hollman, a farmer from Martell, spoke in support of the bill. He

said his property taxes increased 130 percent over the last five years. Retired farmers and ranchers who rent out their land have been hit the hardest by property tax increases over the last few years, Hollman added.

“I’ve never seen landowners so frustrated and angry as I have over this,” he said.

Mary Lou Block, a farmer from Gothenburg, also testified in support of the bill. The valuation of her farm increased 37 percent last year, she said, with a corresponding increase in property taxes. She said it takes most of her income as a part-time dietician to pay her property tax bill. Block said controlling school spending would be one step toward giving farmers and ranchers property tax relief.

“I know that this is only one piece to the puzzle,” she said. “Reining in spending is incredibly important.”

Mike Lucas, superintendent of York Public Schools, testified in opposition to the bill. He said school spending has increased by an average of 3.5 percent annually over the last decade and the percentage of the state budget used for education has decreased.

“School spending is not the problem,” Lucas said. “We have a school funding problem.”

Lucas said the bill would impact a fund that schools use to pay for mold prevention and abatement projects, safety code upgrades, air quality control and the removal of environmental hazards. Schools levy additional money to pay for that fund, which currently sits outside the general levy schools use to pay for operating expenses. LB959 would place that fund within the general levy limit, forcing schools to cut staff and programs, Lucas said.

Linda Richards, speaking on behalf of the Nebraska Association of School Boards, also opposed the bill. Cur-

rently, some employer contributions for retirement expenses are excluded from school districts’ general budgets. LB959 would place those expenses under the general budget limit. Ralston Public Schools, where Richards serves as a board member, would need to cut 10 teachers to offset the \$472,000 in retirement expenses that would fall under the budget limit, she said.

Virgil Harden, executive director of business for Grand Island Public Schools, also spoke against the bill. He said his district has a high proportion of students in poverty and a large special education program. He said the district’s budget must grow faster than the 2.5 percent that would be allowed under the bill.

“We spend the money to meet the needs of our children,” Harden said. “And 2.5 percent does not cut it.”

The committee took no immediate action on the bill.

Schools would maintain aid for free meals

The Education Committee heard two bills Feb. 8 that are intended to maintain state aid to schools for free student meals.

LB1004, introduced by Omaha Sen. Tanya Cook, and LB1065, introduced by Cedar Rapids Sen. Kate Sullivan, would help Nebraska schools implement a federal provision that allows schools with high poverty rates to provide free breakfast and lunch to all students without the need for an application. Schools that qualify for the provision have at least 40 percent of their students in poverty.

Currently, students qualify for free meals if they already participate in

programs like Head Start or by submitting an income-based meal application. Schools that participate in the federal provision are not required to collect those applications, resulting in fewer recorded recipients of the program. This is problematic for schools, as state aid is calculated, in part, on the percentage of students in this program.

Both bills would increase by 10 percent the number of students included in that calculation for schools that implement the provision, helping schools maintain their state funding. LB1004 would offer schools the option of using that multiplier or the number of students who qualified for free meals in the most recent fiscal year for which data is available, whichever is greater.

LB1004 also would require the state Department of Education to promote the federal provision to eligible schools and help them implement it.

LB1065 would change a provision allowing parents voluntarily to provide information—other than on a school lunch application—that would determine a child’s qualification for free or reduced-priced meals. Sullivan said schools that implement the provision are not required to collect financial information but, if parents wish to provide it, the information also can be used to qualify a student for other financial benefits such as fee waivers, scholarships and transportation for option-enrolled students.

Cook said the provision reduces the administrative burden on schools and leads to better nourished children. It is being underused because schools with high poverty rates fear they will lose state funding if they implement the program under current statute, she said.

“It is imperative that we enable schools to implement this eligibility provision without adversely impacting their state aid,” Cook said.

James Goddard, director of eco-



Sen. Tanya Cook

conomic justice programs at Nebraska Appleseed, testified in support of both bills. He said more than 100 schools in Nebraska are eligible for the federal provision but only 5 percent of eligible students participate in the program so far. Goddard said the provision in LB1004 allowing schools to choose between a multiplier and data from an earlier fiscal year when calculating their state aid would be critical in helping more schools to implement the program.

“While a multiplier alone might function well for higher poverty schools, perhaps for Omaha Public Schools, for example, it may not provide the same level of poverty allowance for schools with a lower poverty level, thereby discouraging schools from taking up the program,” he said.

Connie Knoche, chief financial officer for Omaha Public Schools, also testified in support of both bills. She said six Omaha elementary schools have implemented the federal provision and another 20 or 30 likely would implement it under the proposed bills.

Julia Tse, speaking on behalf of Voices for Children in Nebraska, testified in support of LB1004. She said federal data shows that for every 10 students qualified through Head Start, the Supplemental Nutrition Assistance Program or other factors, six more otherwise would qualify for free and reduced-priced meals.

No one spoke in opposition to the bills and the committee took no immediate action on them.

Funding proposed for virtual schools

Students who attend virtual schools would be included in the state’s school aid formula under a bill heard by the Education Committee Feb. 8.

LB1049, introduced by Omaha

Sen. Burke Harr, would define “virtual school” as any school or educational program that is offered for credit and uses primarily Internet-based distance learning technologies. Students in virtual schools would be required to make progress toward the next grade level, demonstrate understanding of subject matter in their classes and take state assessments.



Sen. Burke Harr

A virtual student would be defined as any student enrolled in a virtual school and not in any other public school district.

The bill would count those students in their school district’s fall and average daily memberships so they are included when calculating state aid.

Harr said the bill would help Omaha Public Schools start a virtual school and added that many states have similar programs.

“Virtual schools are a new tool in educating all our children and they offer great promise and potential,” he said.

Connie Knoche, chief financial officer for Omaha Public Schools, testified in support of the bill. She said OPS plans to launch a virtual school for K-8 this fall and wants to ensure virtual students are included in state aid calculations to cover the program’s cost. OPS hopes to enroll approximately 100 students in the virtual school, Knoche said, adding that the program would be popular with homeschoolers and students whose families travel frequently.

OPS would provide each student a computer and hire a principal, teachers, a counselor, a computer technician and an administrative assistant to staff the program, Knoche said. The school also would purchase curricular

materials and provide space for virtual students to take state assessments. If the program succeeds, she said, OPS may expand it to the high school level.

“We think it’s a good way to move forward with our current education system,” Knoche said.

The committee took no immediate action on the bill.

EXECUTIVE BOARD

Special legislative committees proposed

The Executive Board heard three proposals Feb. 8 to create special committees of the Legislature.

LR403, introduced by Lincoln Sen. Matt Hansen, would establish the Election Technology Committee to study the longevity of technology used by election commissioners and county clerks to conduct elections as of Jan. 1, 2016.



Sen. Matt Hansen

The committee also would study the feasibility of updating or replacing elections technology.

Hansen said that passage of the 2002 Help America Vote Act required states to ensure equal access to elections for individuals with disabilities. In response, the Nebraska secretary of state’s office used approximately \$15 million in federal funds to purchase Automark machines, which are used by visually impaired voters.

Those machines soon will need to be replaced, Hansen said, and the state needs to decide who will bear the replacement cost.

“Adding the purchase of election machines could double or triple county

[election] expenses,” he said, noting that counties traditionally are responsible for the cost of holding elections.

Bri McLarty, director of voting rights for Nebraskans for Civic Reform, testified in support of the measure, saying the state needs to begin exploring how to address the estimated \$20 million replacement cost.

“While the machines may not break tomorrow,” McLarty said, “we need to start planning for the inevitable.”

LR418, introduced by Omaha Sen. Sara Howard, would create the ACCESSNebraska Oversight Committee. Howard said the committee would provide oversight and ongoing dialogue between the Legislature and the state Department of Health and Human Services (DHHS) to ensure continued improvement of the system.



Sen. Sara Howard

ACCESSNebraska is an online and call center system developed and implemented by DHHS to determine public benefit eligibility and deliver benefits to clients.

The ACCESSNebraska Special Investigative Committee of the Legislature was created in 2014 to investigate an array of problems, including long wait times for callers, lost paperwork and high worker turnover. Authorization for the committee was extended until the beginning of the current legislative session in January of 2016.

Howard, who served as chairperson of the committee last year, said that while an investigative committee is no longer necessary, continued communication is.

“The majority of the committee recommended one more year of legislative oversight,” she said, citing the committee’s year-end report. “The intent of the report was to show that

progress has been made—which is actually the good news—but that there still are challenges.”

James Goddard of Nebraska Appleseed testified in support of the proposal, saying legislative oversight would help maintain positive momentum in the system.

“The main thing we think is important is that these changes are sustainable over time,” Goddard said.

Finally, LR413, introduced by Syracuse Sen. Dan Watermeier, would establish the Task Force on Behavioral and Mental Health.



Sen. Dan Watermeier

The committee would study issues relating to the adequacy of the state’s behavioral health system, including monitoring the progress of the DHHS division of behavioral health in conducting a statewide needs assessment and developing a strategic plan.

Watermeier said the recommendation is the result of a performance audit of the state’s behavioral health system.

Lincoln Sen. Kate Bolz testified in support of the resolution, saying the state is moving toward more community-based rather than institution-based behavioral health strategies. However, she said, many high-need individuals do not fit well in either system.

“There is a role for policymakers in trying to understand the strategies that we need to take this community-based vision forward,” Bolz said.

No one testified in opposition to the resolutions and the committee took on immediate action on them.

Inspector access to child welfare records advanced

Lawmakers gave first-round approval to a bill Feb. 11 that would ex-

pedite delivery of confidential records to the Inspector General of Nebraska Child Welfare.

A bill passed by the Legislature in 2015 expanded the jurisdiction of the inspector general to include the state’s juvenile services division of the Office of Probation Administration. It authorized the inspector general to access confidential information pertinent to investigations, including video testimony from victims of abuse.

LB954, introduced this year by Omaha Sen. Bob Krist, additionally would authorize the inspector general to submit written requests for access to records of juvenile probation officers. The bill would require that those records be delivered within five days of a juvenile court order.



Sen. Bob Krist

Krist said the bill is the result of six months of negotiations between the legislative and judicial branches.

“If [the Legislature] does not exercise our constitutional requirement, our mandates to legislate, appropriate and apply oversight of all branches, we might as well go home,” he said. “For the most part it’s the oversight of [the Legislature] that holds government in check. [LB954] is another one of those very important issues.”

Upon receipt of orders from the juvenile court or the Office of Probation Administration, the juvenile services division would grant direct computer access to all computerized records maintained by the division relevant to a specific case under investigation.

Omaha Sen. Heath Mello supported the bill.

“Compromise always takes a little bit of time for the two sides to find middle ground on a very difficult issue,” Mello said. “[LB954] will protect

legislative prerogative when it comes to oversight but also protect judicial independence.”

The bill also directs the inspector general to immediately notify the probation administrator of possible misconduct by an employee of the juvenile services division found during an investigation. Pertinent information regarding a potential personnel matter would be provided to the Office of Probation Administration.

LB954 also directs the juvenile court to provide confidential record information to the Foster Care Review Office.

Following adoption of a technical amendment, the bill advanced to select file on a 44-0 vote.

Expanded audit authority advances

Lawmakers voted to advance a bill Feb. 11 that would give the Legislative Audit Office authority to conduct performance audits of two judicial branch offices.

Introduced by Syracuse Sen. Dan Watermeier, LB1016 would subject the Office of Probation Administration and the Office of Public Guardian to performance audits by the Legislative Audit Office. The office reviews state agency programs to ensure they effectively implement the Legislature’s intent.

Watermeier said the bill would authorize legislative branch audits of the two offices but not mandate them. He said other state offices have access to similar judicial branch programs.

Lincoln Sen. Kathy Campbell spoke in support of the bill. She said it is critical for the Legislature to have the authority to audit the offices, which deal with child welfare and currently sit outside the Legislature’s oversight.

“I fully believe that the Office of

Probation [Administration] is working diligently to work out the services that they are providing,” she said. “But should there be a problem that the Legislature sees, it would have that oversight through the committee.”

Sen. Heath Mello of Omaha also supported the bill. He said LB1016 would give legislative committees better information on how the offices operate, which would help the Legislature budget for the agencies and ensure they are successful.

A technical amendment was adopted 26-0 and the bill advanced to select file on a 35-0 vote.



Bill would allow investigational drug use

Drugs in FDA clinical trials could be used by eligible Nebraska patients under a bill heard Feb. 11 by the Health and Human Services Committee.

LB804, introduced by Omaha Sen. Robert Hilkemann, would allow an eligible patient under the Investigational Drug Use Act to be treated with any drug, biological product or medical device that has successfully completed Phase 1 of a clinical trial but has not yet been approved for general use by the FDA—provided that the drug remains in an FDA-approved clinical trial.

Hilkemann said 41 states have either approved or are considering similar legislation, which he said could give patients who are out of other

options access to experimental drugs.

“This is a bill to give hope to those Nebraskans suffering from chronic and possible terminal illnesses,” he said.

To be eligible, a patient must:

- have a documented, advanced illness;
- have considered all other approved treatment options;
- give written, informed consent for the use of the investigational treatment; and
- have a recommendation from his or her treating physician for an investigational drug, biological product or device.

Under the bill, a manufacturer could provide an investigational treatment without compensation and would be prohibited from seeking reimbursement for such treatment if an eligible patient died while being treated.

In addition, a treating physician or medical institution would not be held liable under the act.

Kim Robak, testifying on behalf of the Nebraska Medical Association and the Nebraska Oncology Society, supported LB804. There are patients with serious, life-threatening diseases who are out of other options, she said.

“This bill makes some sense in those instances, to perhaps provide some alternative when no other alternative exists,” Robak said. She cautioned committee members, however, that the bill could raise unrealistic expectations.

Pharmaceutical companies ultimately would make the decision to provide access to investigational treatments, she said, and state lawmakers cannot compel them to do so.

No opposition testimony was offered and the committee took no immediate action on the bill.



Sen. Robert Hilkemann

JUDICIARY



Changes to police pursuit liability advanced after cloture

After prolonged debate, lawmakers gave first-round approval Feb. 10 to a bill that would lessen the liability facing the state and political subdivisions in the event of a police pursuit.

Currently, the state and subdivisions are held liable for the death, injury or property damage to an innocent third party caused by the action of a law enforcement officer during a vehicular pursuit. LB188, introduced by Syracuse Sen. Dan Watermeier, would exclude certain passengers from the liability protections.



Sen. Dan Watermeier

Watermeier said legislation passed more than 30 years ago implemented the liability protections for innocent third parties. However, he said, questions about who is considered an innocent third party have been decided in court cases due to ambiguity in the original law.

“All this bill does is give the courts standards to consider in determining whether a passenger in a fleeing vehicle truly is an innocent third party and is eligible for automatic recovery [of damages],” he said.

The bill would exclude from liability protections any passenger who:

- enters into the vehicle without coercion knowing, or with a reasonable belief, that the driver of the vehicle is under the influence of alcohol or drugs;
- fails to take reasonable steps to persuade the driver to stop the vehicle;

- promotes, provokes or persuades the driver to engage in flight from law enforcement; and
- is subject to arrest or sought to be apprehended by law enforcement.

A Judiciary Committee amendment, adopted 42-2, removed the exclusion of those subject to arrest and clarified the exclusion of those who have engaged in felonious conduct prior to entering the fleeing vehicle.

Sen. David Schnoor of Scribner supported the bill, saying current protections are too broad.

“Some are innocent third party victims but some are just as guilty as the person driving the car,” Schnoor said. “There are people out there who are going to take advantage of the system to get some money.”

Omaha Sen. Ernie Chambers opposed the bill, saying it unfairly would place the burden of proof on individuals in the car.

“I want to go after those who make the decisions about what the police officers [are authorized] to do,” he said. “[I want to] place responsibility on the political leaders of whatever subdivision hired the offending officer. It would be up to those individuals to adopt policies that would restrict these chases.”

Chambers introduced a series of motions to extend debate on the bill.

Sen. Patty Pansing Brooks of Lincoln also opposed the bill. She said a National Highway Traffic Safety Administration survey showed 91 percent of all police chases are precipitated by nonviolent crimes.

“I’m not trying to be soft on crime and I don’t think we have to stop the police and handcuff them from doing their job,” she said, “but there is statistic after statistic about the ineffectiveness and danger of these high-speed chases.”

Bellevue Sen. Sue Crawford also spoke against the bill.

“I can understand that someone

who has been charged with felonies or is drunk may not be the most sympathetic character and a news write-up about their injuries being paid may not be popular,” Crawford said. “However, that person is still a human being and if they’re harmed when we’re pursuing public safety then that person is deserving of having their injuries addressed.”

After six hours of debate spanning three days, Watermeier introduced a motion to invoke cloture—or cease debate and force a vote on the bill—which senators approved on a 37-5 vote.

Senators advanced the bill to select file on a 34-6 vote.

Immunity for victims of human trafficking proposed

Victims of human trafficking would be granted limited legal immunity under a bill discussed by the Judiciary Committee Feb. 10.

LB843, introduced by Lincoln Sen.

Patty Pansing Brooks, would provide legal immunity from prostitution charges for any person proven to be a victim



Sen. Patty Pansing Brooks

of labor or sex trafficking. Pansing Brooks said the first step in addressing human trafficking is acknowledging its pervasiveness.

“The trafficking of women, men and children in our state is the epitome of modern-day slavery,” she said. “While it seems impossible to most Nebraskans, human trafficking is present here.”

A pending amendment would clarify that law enforcement would be responsible for determining whether a person engaging in prostitution is a victim of human trafficking.

Al Riskowski, representing the Nebraska Family Alliance, supported the

bill. He said a report by the governor’s Task Force on Human Trafficking, of which he is a co-chair, shows just how large a problem human trafficking is in Nebraska.

“It’s important that human trafficking victims need to be seen as victims,” he said. “Our report shows that 50 to 100 current high school students are pulled into the sex trade every year in Nebraska.”

No one testified in opposition to the bill and the committee took no immediate action on it.

Limited liability proposed for drug overdoses

Those experiencing or witnessing a drug overdose would have limited legal liability under a bill heard by the Judiciary Committee Feb. 10.

LB980, introduced by Lincoln Sen. Adam Morfeld, would grant limited legal liability to someone experiencing or witnessing a drug overdose if they request emergency medical assistance as soon as the emergency is evident.



Sen. Adam Morfeld

Morfeld said drug overdose deaths in Nebraska have quadrupled since 1999, according to a 2014 state Department of Health and Human Services report.

“[LB980] ensures we’re putting the lives of Nebraskans first while still ensuring accountability to the law,” he said. “It will make sure people can seek critical medical attention when it’s needed.”

A witness to a drug overdose would qualify for limited liability under LB980 if they are the first person to request emergency medical assistance, remain on the scene until assistance arrives and cooperate with the medical assistance and law enforcement officials.

Tom Strigenz, representing the Nebraska Criminal Defense Attorney

Association, supported the bill.

“Our clients make bad decisions. If we can help them make good decisions and possibly save a life, then we support that,” he said.

Erin Cooper, representing the University of Nebraska, testified in a neutral capacity. She said the university supported a similar bill dealing with underage drinking in 2015.

“We strongly support any measure that could save lives,” she said. “However, we do urge caution in implementing [LB980] and taking into consideration the difference between misdemeanor conduct and felonious conduct.”

No one testified in opposition to the bill and the committee took no immediate action on it.

NATURAL RESOURCES

Solid waste study recommended

The status of the state’s recycling and solid waste management would be the subject of a new study under a bill heard by the Natural Resources Committee Feb. 11.

LB1101, introduced by Omaha Sen. Heath Mello, would authorize the state Department of Environmental Quality (DEQ) to conduct a study examining the status of solid waste management programs operated by the department.



Sen. Heath Mello

Mello said Nebraskans currently pay \$34 million in landfill fees each year to dispose of materials that could be recycled.

“It’s been almost 25 years since the Solid Waste Management Act was passed,” he said. “This is an ideal opportunity for the state, under a new

administration, to take a hard look at the state’s existing recycling and waste management statutes.”

The DEQ would study the efficacy of current litter, waste reduction and recycling programs and conduct a needs assessment with regard to recycling and composting programs in the state. Potential funding sources, including public-private partnerships, also would be included in the study.

Carrie Hakenkamp, executive director of WasteCap Nebraska, testified in support of the bill. She said only Omaha and Lincoln have updated their solid waste management plans since the initial passage of the Solid Waste Management Act.

“[The act] is outdated and focuses solely on integrated solid waste management rather than resource conservation,” she said. “Nebraskans generate 7 pounds of solid waste per person per day. The national average is 4 pounds. We need to be looking at why that is.”

LB1101 also would authorize the DEQ to create an advisory committee comprising no more than nine people. The committee would provide a report of its findings to the Legislature by Dec. 15, 2017.

No one testified in opposition to the bill and the committee took no immediate action on it.

NEBRASKA RETIREMENT SYSTEMS

Divestment from fossil fuels sought

A bill seeking divestment of state funds from fossil fuels was heard by the Retirement Systems Committee Feb. 9.

LB1069, introduced by Malcolm Sen. Ken Haar, would require the state

investment officer to review the investment of state funds in both fossil fuels and clean energy and, to the extent that it is prudent, begin the process of divesting from fossil fuels and investing in clean energy.



Sen. Ken Haar

The state investment officer would be required to provide a report on the status of state investment in relation to fossil fuels and clean energy to the governor and the Legislature by Dec. 15, 2016.

The bill would impact investments that derive at least 50 percent of their revenue from the extraction or combustion of fossil fuels.

Haar said the concept has precedent in Nebraska, which was the first state to require divestment from apartheid South Africa. Over 500 entities across the country have pledged divestment from fossil fuels in some form, he said, based on both moral and economic considerations.

“These campaigns are based on the concept of using capital markets to engage in social change,” Haar said. “I think this is not only the right thing to do, but I think we’ll see in the near future that it makes dollars and sense.”

James Cavanaugh, representing the Nebraska chapter of the Sierra Club, testified in support of the bill. The oil industry has proven not to be a good investment, either monetarily or morally, he said, noting the recent collapse of North Dakota’s oil-driven economic boom.

“That is not probably the best investment that you can find in today’s stock market,” he said, adding that the state instead should explore investing in clean energy. “[The bill is] just using best practices, looking to the future—the same thing that you would do with your own portfolio.”

Retired teacher Tim Fickenscher also testified in support of LB1069, saying the bill would begin a process of protecting Nebraska’s environment from the impact of climate change.

“I’m worried about students that I’ve taught and the world that they’re inheriting,” he said. “We need to accept responsibility that fossil fuels are changing our present environment.”

Michael Walden-Newman, state investment officer for the state of Nebraska, testified in opposition to the bill. The retirement plan and trust assets that are invested on behalf of the people of Nebraska must be the top priority, he said, rather than social concerns.

Removing investment options could harm the state’s returns, he said, noting that it also may be difficult for the state to divest from index funds that contain fossil fuel companies.

“The estimate is that 6 to 7 percent of the investment universe of our stock portfolio would be removed through this legislation,” Walden-Newman said.

Joe Kohout, representing the American Petroleum Institute (API), also opposed the bill.

Kohout said that an API study last year of pension funds in 17 states found that oil and gas products outperformed other investments. In addition, he said, Vermont recently chose not to divest from fossil fuels based on estimates that the state would lose between \$2 million and \$8.5 million in the first year of doing so.

The committee took no immediate action on the bill.



Tobacco tax increase proposed

A bill proposed to the Revenue Committee Feb. 11 would raise the

excise tax on cigarettes by more than 200 percent and use the revenue for public health programs and property tax credits.

LB1013, introduced by Sen. Mike Gloor of Grand Island, would raise the tax on a pack of cigarettes by \$1.50, from the current 64 cents to \$2.14. It also would raise the tax on the wholesale price of other tobacco products, such as cigars, from the current 20 percent to 31 percent.



Sen. Mike Gloor

The increase would generate an estimated \$120 million in fiscal year 2016-2017. Every year the bill would direct \$45 million to the state’s property tax relief fund. Another \$45 million would be used for credits for Nebraskans filing a property tax exemption. An additional \$30 million would be directed to an array of public health programs, biomedical research on cancer and smoking-related illnesses and a smoking prevention and control program.

Gloor said the bill would reduce the state’s Medicaid costs for the treatment of heart disease, lung disease and cancers caused by smoking and tobacco use. He said an estimated 2 million Nebraskans would quit smoking under the proposed increase, resulting in a five-year savings to Medicaid of approximately \$2 million.

“We could have been doing a lot of things with the dollars that we plug into Medicaid budgets to provide care for those patients,” he said. “It seems appropriate to me that we take some of those dollars now and allocate them towards property tax relief.”

Dr. Bob Rauner, speaking on behalf of the Nebraska Medical Association, testified in support of the bill. He said \$795 million of Nebraska’s annual health care costs are attributed to smok-

ing, approximately \$160 million of which is paid by Medicaid. Rauner said the proposal would deter more teens from smoking because they are more sensitive to price increases than adults.

“It’s been studied in state after state after state that when you do something like this there’s almost an immediate reduction in smoking,” he said. “The potential benefits to the state are very large.”

Joanna Hejl, a student at Lincoln High School, also spoke in support of the bill. She said tax increases like the one proposed are effective in reducing teen smoking rates. New York, which has the highest tobacco tax of any state, also has the lowest youth smoking rate in the nation at 7 percent, compared to Nebraska’s 11 percent, she said.

Ali Khan, dean of the College of Public Health at the University of Nebraska Medical Center, testified in support of the bill, saying that tobacco use is responsible for half of all preventable deaths in Nebraska. The college would use funding from the proposal to educate and train public health professionals that would serve all Nebraskans, including smokers, he said. Several national and international studies have shown that raising the unit price on tobacco reduces its use, Khan added.

“There’s unequivocal evidence that passage of LB1013 will decrease tobacco use and save lives,” he said.

Coby Mach, co-owner of the Nebraska Cigar Festival, testified in opposition to the bill.

He said the tax increase would make it more difficult for Nebraska cigar retailers to compete with online sellers and those in neighboring states with lower tobacco taxes. The wholesale tax on cigars is 10 percent in Kansas and Missouri, compared to the current 20 percent in Nebraska, Mach said.

“We believe that increasing the taxes on people who enjoy the occasional cigar is not the way to solve our tax problems in Nebraska,” he said. “Nor do we agree that it is a way to get people to quit smoking cigars.”

Jeff Doll, owner of Safari Cigar and Lounge in Omaha and head of the Nebraska Premium Tobacco Association, also spoke against the bill. He said increasing taxes on cigars will hurt Nebraska businesses by driving more sales to online retailers. Doll estimated that Nebraska forgoes \$3 million a year in tax revenue because online cigar sellers pay no taxes to the state.

A power outage at the Capitol ended the hearing before all testimony was heard.

TRANSPORTATION & TELECOMMUNICATIONS

Bill would address distracted driving

Texting while driving would be a primary offense under a bill heard by the Transportation and Telecommunications Committee Feb. 9.

Under LB668, introduced by Omaha Sen. Bob Krist, a driver with a provisional operator’s permit, learner’s permit or school permit and school bus drivers could be ticketed by law enforcement for talking on a cell phone or texting while driving.

Currently, this is treated as a secondary offense and can be enforced only if the driver is pulled over for a separate primary offense.

Krist said that most states currently

consider texting while driving a primary offense.

“I didn’t realize before I started researching this how far behind [Nebraska is] to the rest of the country,” he said. “We need to make sure this is considered a serious offense.”

Under the bill, drivers holding a traditional driver license still could talk on the phone while driving but would be restricted from reading, typing or sending a written communication on their device.

Laurie Klosterboer, executive director of the Nebraska Safety Council, supported the bill. She said a survey conducted by her organization found that more than 90 percent of respondents support making texting while driving a primary offense.

“Most people recognize that texting while behind the wheel is a dangerous activity and would support moving the law from a secondary to primary law,” she said. “We have teens that are novice drivers. We need to make sure they’re focused on the driving task at hand and make sure they’re not texting behind the wheel.”

LB668 also would make a primary offense the operation of a vehicle that does not provide a proper child passenger restraint system for passengers younger than six years old or a seatbelt for each passenger aged six to 18.

No one testified in opposition to the bill and the committee took no immediate action on it. ■



Sen. Bob Krist

COMMITTEE HEARINGS

Current hearing schedules are always available at: nebraskalegislature.gov/calendar

Tuesday, February 16

Agriculture

Room 2102 - 1:30 p.m.

LB968 (Johnson) Change provisions relating to an agriculture promotion and development program

Appropriations

Room 1524 - 1:30 p.m.

Agency 27: Dept. of Roads
LB960 (Smith) Adopt the Transportation Innovation Act and provide transfers from the Cash Reserve Fund

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB740 (Hansen) Add an unfair claims settlement practice under the Unfair Insurance Claims Settlement Practices Act
LB796 (B. Harr) Prohibit alterations to liability insurance coverage for claims under the Minor Alcoholic Liquor Liability Act
LB856 (B. Harr) Change the Insured Homeowners Protection Act
LB1041 (Cook) Provide for disapproval of certain insurance rate filings if they use price optimization

Education

Room 1525 - 1:30 p.m.

Appointment: Ward, Charles - Board of Educational Lands and Funds
LB868 (Krist) Require successful completion of a civics examination as a prerequisite to high school graduation
LB1062 (Krist) Provide for waiver of a certificate to administer as prescribed

Urban Affairs

Room 1510 - 1:30 p.m.

LB865 (Crawford) Change provisions relating to handicapped parking
LB857 (Hadley) Change population threshold for a city of the first class to employ a fulltime fire chief
LB806 (Mello) Adopt the Riverfront Development District Act

Wednesday, February 17

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB851 (McCollister) Change the Taxpayer Transparency Act
LB694 (Crawford) Change provisions relating to exempt contracts under the

Taxpayer Transparency Act

LB992 (Ebke) Provide a restriction on installment contracts for the purchase of real or personal property by political subdivisions
LB955 (Scheer) Except the University of Nebraska and the Nebraska State College System from participation in certain state contracts regarding electronic payments

Health & Human Services

Room 1510 - 1:30 p.m.

Appointment: Bell, Chad - Commission for the Blind and Visually Impaired
Appointment: Hansen, Michael D. - Commission for the Blind and Visually Impaired
LB816 (Scheer) Change and eliminate provisions relating to state institution patients' records
LB899 (Baker) Change lead content provisions relating to the Nebraska Safe Drinking Water Act
LB908 (Kolterman) Provide for temporary licenses for veterinary technicians

Judiciary

Room 1113 - 1:30 p.m.

LB1098 (Morfeld) Increase legal services fees as prescribed
LB975 (Kolterman) Adopt the Child Welfare Services Preservation Act
LB670 (Krist) Require a hearing prior to release for persons taken into custody for mental health reasons
LB847 (Pansing Brooks) Change provisions relating to juries
LB1010 (Williams) Change provisions relating to juvenile court petitions

Natural Resources

Room 1525 - 1:30 p.m.

LB1070 (K. Haar) Change powers and duties of the Nebraska Oil and Gas Conservation Commission to require liability insurance and restrict permits as prescribed
LB1082 (Schilz) Change provisions relating to the Nebraska Oil and Gas Conservation Commission and provide for a periodic well fluid analysis, report, and notice as prescribed
LB1100 (Schilz) Adopt the Petroleum Education and Marketing Act

Revenue

Room 1524 - 1:30 p.m.

LB925 (B. Harr) Change provisions relating to issuing a treasurer's tax deed and bringing a tax lien foreclosure action as prescribed
LB936 (Ebke) Change inheritance tax rates and exemption amounts
LB995 (Davis) Repeal provisions relating to the special valuation of agricultural land and provide for the agricultural value of agricultural land
LB1037 (Brasch) Change property tax provisions relating to agricultural land and horticultural land

Thursday, February 18

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB1080 (Seiler) Change provisions relating to direct purchases and use of recyclable material by correctional industries
LB978 (Craighead) Change provisions relating to the state purchasing card program and facilities construction and administration and eliminate obsolete provisions
LB999 (Garrett) Change the disposition of proceeds from the sale of surplus personal property

Health & Human Services

Room 1510 - 1:00 p.m.

Dept. of Health & Human Services - Medicaid Division Annual Committee Briefing
LB782 (Schumacher) Provide for a medicaid state plan amendment relating to coverage for family planning services
LB869 (Crawford) Require that certain providers under the Medical Assistance Act be subject to a national criminal history record information check
LB1043 (Howard) Create a palliative care program and advisory council for the Health Care Facility Licensure Act

Judiciary

Room 1113 - 1:30 p.m.

LB1000 (Mello) Require certain law enforcement agencies to adopt policies on the use of body-worn cameras, provide that recordings from such cameras are not public records, and prohibit certain conduct involving such recordings

COMMITTEE HEARINGS

Current hearing schedules are always available at: nebraskalegislature.gov/calendar

LB1097 (Morfeld) Change provisions relating to sexual assault forensic testing
LB1054 (Hilkemann) Change provisions relating to the DNA Identification Information Act
LB920 (Pansing Brooks) Add members to the Nebraska Police Standards Advisory Council
LB839 (Chambers) Require background checks and other requirements for persons purchasing certain types of tactical gear

Natural Resources

Room 1525 - 1:30 p.m.

LB711 (Hughes) Change provisions of the Noxious Weed Control Act and create the Riparian Vegetation Management Task Force
LB712 (Hughes) Change provisions relating to the regulation of aboveground motor vehicle fuel storage tanks

Revenue

Room 1524 - 1:30 p.m.

LB797 (B. Harr) Change provisions relating to the accrual of interest on denied and reduced homestead exemptions
LB825 (Davis) Provide reporting requirements for tax-exempt property
LR390CA (Davis) Constitutional amendment requiring community colleges funding by sales and income taxes and not property taxes
LB1104 (Larson) Provide for tax incentives, intent provisions, and revenue-sharing agreements relating to Native Americans

Friday, February 19

Government, Military & Veterans Affairs

Room 1507 - 1:30 p.m.

LB1099 (Krist) Change provisions relating to expense reimbursement
LB1084 (Stinner) Change and provide duration requirements for certain state agency contracts
LR381 (Ebke) Resolution to ratify the Twenty-Seventh Amendment to the United States Constitution regarding compensation for members of Congress

Health & Human Services

Room 1510 - 1:00 p.m.

Appointment: Propp, Margaret - Commission for the Deaf and Hard of

Hearing

Appointment: Seiler, Peter - Commission for the Deaf and Hard of Hearing
Appointment: Huber, Kristin - Foster Care Advisory Committee
LB939 (Mello) Adopt the Nebraska Early Childhood Advantage Act
LB1034 (Campbell) Change provisions relating to the Nebraska Children's Commission
LB1081 (Campbell) Change provisions relating to eligibility for public assistance

Judiciary

Room 1113 - 1:30 p.m.

LB832 (Morfeld) Provide for seizure and sale of a motor vehicle illegally transporting household goods for hire
LB890 (Brasch) Change provisions relating to actions involving motor vehicle collisions with domestic animals
LB916 (Howard) Provide immunity from criminal or civil liability for removal of an animal from a motor vehicle by forcible entry as prescribed
LB966 (Kintner) Adopt the Refugee Resettlement Agency Indemnification Act

Revenue

Room 1524 - 1:30 p.m.

LB974 (Kolowski) Exempt sales of clothing, school supplies, computers, and computer-related accessories from sales and use taxes
LB1021 (Crawford) Change provisions relating to access to sales and use tax information by municipalities
LB1047 (B. Harr) Change sales tax exemption provisions relating to purchases of energy and fuel
LB1088 (Davis) Provide a sales and use tax exemption for nonprofit centers for independent living

Monday, February 22

Banking, Commerce & Insurance

Room 1507 - 1:30 p.m.

LB873 (Murante) Authorize escheatment to the state of unclaimed United States Savings Bonds as prescribed
LB1025 (Morfeld) Change experience requirements under the Public Accountancy Act
LB1050 (B. Harr) Authorize conversion of domestic partnerships and domestic limited liability partnerships into

domestic limited liability companies or foreign limited liability companies

Business & Labor

Room 2102 - 1:30 p.m.

LB1110 (Mello) Adopt the Nebraska Workforce Innovation and Opportunity Act
LB1029 (Mello) Adopt the Sector Partnership Program Act and provide duties for the Department of Labor
LB1044 (Ebke) Terminate the Commission of Industrial Relations
LB1045 (Ebke) Provide for the treatment of certain contractors as independent contractors as prescribed

Education

Room 1525 - 1:30 p.m.

LB1067 (Sullivan) Change provisions relating to learning communities
LB903 (Baker) Change and eliminate provisions relating to learning communities
LB904 (Baker) Provide for school districts to opt out of a learning community
LB739 (Smith) Eliminate certain taxing authority of learning communities
LB967 (Kintner) Change learning community provisions relating to enrollment and levies

General Affairs

Room 1510 - 1:30 p.m.

Appointment: Varenhorst, Harvey - Nebraska Arts Council
Appointment: McClymont, Sherry - Nebraska Arts Council
Appointment: LeBaron, Kathryn - Nebraska Arts Council
Appointment: Drickey, Patrick - Nebraska Arts Council
Appointment: Mueller, Cory L. - State Electrical Board
Appointment: Bergstraesser, Edwin - State Electrical Board

Nebraska Retirement Systems

Room 1525 - 9:00 a.m.

Omaha Public Schools Employee Retirement System Actuarial Report
Appointment: Derr, J. Russell - Public Employees Retirement Board
Appointment: Olson, Keith - Nebraska Investment Council

COMMITTEE HEARINGS

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**Transportation & Telecommunications
Room 1113 - 1:30 p.m.**

LB783 (Lindstrom) Provide for registration of public power district vehicles as prescribed
LB844 (Pansing Brooks) Provide for Breast Cancer Awareness Plates

Tuesday, February 23

Agriculture

Room 1510 - 1:30 p.m.

LR378CA (Kuehn) Constitutional amendment to guarantee the right to engage in certain farming and ranching practices

Education

Room 1525 - 1:30 p.m.

Appointment: Hunter, Ronald - Coordinating Commission for Postsecondary Education
Appointment: Adam, Colleen - Coordinating Commission for Postsecondary Education

**Transportation & Telecommunications
Room 1113 - 1:30 p.m.**

Appointment: Gerdes, Mary K. - State Highway Commission
LB688 (Bloomfield) Require all examinations and test of applicants under the Motor Vehicle Operator's License Act be in English
LB964 (Hilkemann) Change a veteran notation requirement on a motor vehicle operator's license or state identification card
LB1077 (Pansing Brooks) Change provisions under the Motor Vehicle Operator's License Act relating to operator's license revocation
LB1068 (K. Haar) Adopt the Electric Customer Protection Act and provide duties for the Public Service Commission

Wednesday, February 24

Judiciary

Room 1113 - 1:30 p.m.

LB965 (Cook) Provide for expungement of records for persons charged with or found guilty of a crime because of stolen identity or mistaken identity
LB793 (Watermeier) Change provisions and penalties relating to implements for escape and contraband and certain assaults

LB1055 (Chambers) Open grand jury proceedings to the public as prescribed and change procedures in cases of death during apprehension by law enforcement officers or while in custody
LB1056 (Chambers) Adopt the Patient Choice at End of Life Act

Natural Resources

Room 1525 - 1:30 p.m.

LB1019 (Davis) Change provisions relating to support of the Niobrara Council by the Game & Parks Commission, require legislative confirmation of certain appointments to the council, and require an annual report

Thursday, February 25

Judiciary

Room 1113 - 1:30 p.m.

LB1058 (Crawford) Change provisions relating to enforcement of certain tobacco restriction provisions
LB1072 (K. Haar) Adopt the Fair Repair Act and provide a penalty
LB720 (Kuehn) Change certain invasion of privacy provisions to include unmanned aircraft or unmanned aircraft systems
LB885 (Davis) Provide student journalists the right to exercise freedom of speech and of the press

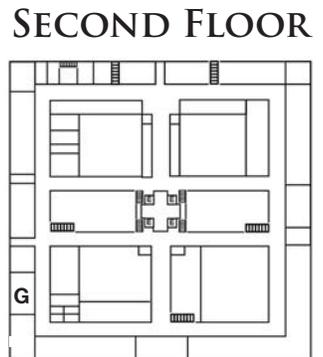
Natural Resources

Room 1525 - 1:30 p.m.

LB961 (Chambers) Eliminate provisions relating to hunting mountain lions ■

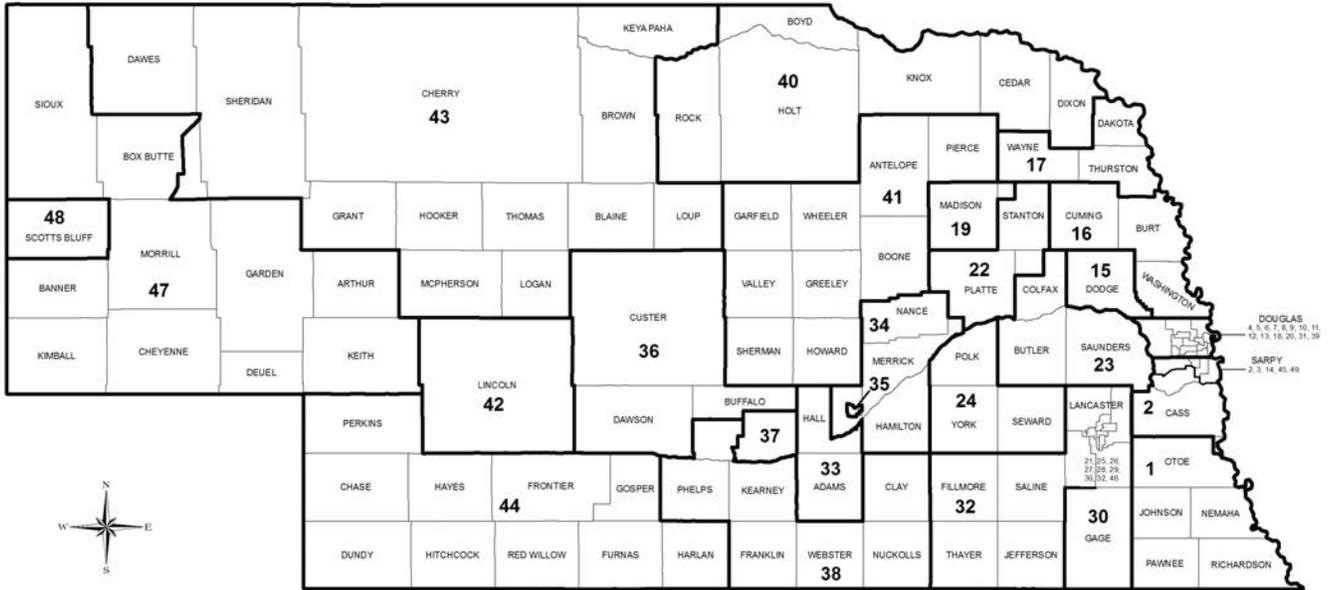
HEARING ROOMS

Hearing Room	Committee	Meeting Days
2102 (G)	Agriculture	Tu
1524 (B)	Appropriations	M, Tu
1003 (A)	Appropriations	W, Th, F
1507 (E)	Banking, Commerce & Insurance	M, Tu
2102 (G)	Business & Labor	M
1525 (C)	Education	M, Tu
1510 (D)	General Affairs	M
1507 (E)	Government, Military & Veterans Affairs	W, Th, F
1510 (D)	Health & Human Services	W, Th, F
1113 (F)	Judiciary	W, Th, F
1525 (C)	Natural Resources	W, Th, F
1525 (C)	Nebraska Retirement Systems	(Meets at noon as scheduled)
1524 (B)	Revenue	W, Th, F
1113 (F)	Transportation & Telecommunications	M, Tu
1510 (D)	Urban Affairs	Tu

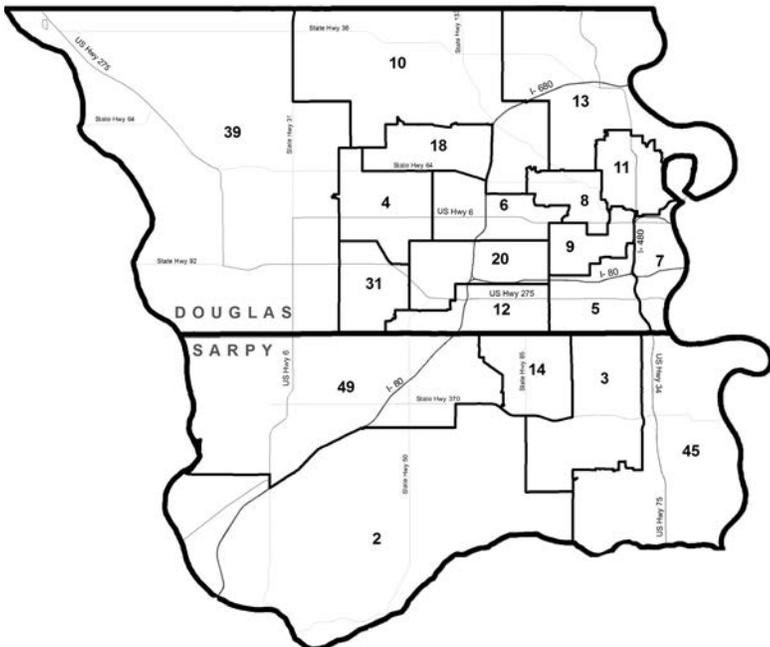


LEGISLATIVE DISTRICTS

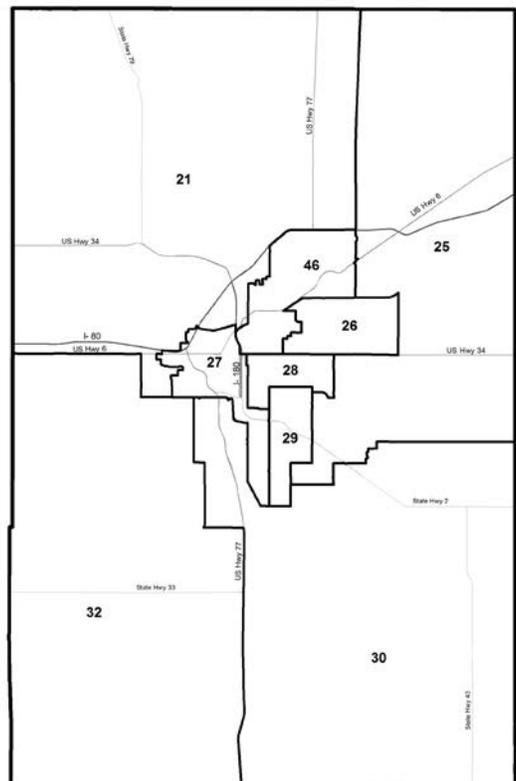
For larger versions of these and other district maps, visit the maps clearinghouse page on the Legislature's official website: www.nebraskalegislature.gov/about/maps.php



OMAHA AND VICINITY



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Each year on President Abraham Lincoln's birthday, Sons of Union Veterans of the Civil War provides a historical display in the Capitol and posts a ceremonial guard at the west side of the building.